

Marlene Dortch  
Secretary, FCC

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ARI Q. FITZGERALD  
PARTNER  
(202) 637-5423  
AQFITZGERALD@HHLAW.COM

July 26, 2002

COLUMBIA SQUARE  
555 THIRTEENTH STREET, NW  
WASHINGTON, DC 20004-1109  
TEL (202) 637-5600  
FAX (202) 637-5910  
WWW.HHLAW.COM

By Hand

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: Year 2000 Biennial Regulatory Review  
Amendment of Part 22 of the Commission's Rules  
WT Docket No. 01-108  
*Ex Parte* Communication

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the Commission's rules, I am writing on behalf of the Digital Transition Coalition ("DTC"), a group of companies that provide important services using Advanced Mobile Phone Service ("AMPS"), to inform you of *ex parte* meetings held with various Commission staff on July 25, 2002, regarding issues raised in the above-referenced proceeding. The meetings were held to discuss the need for a reasonable transition period before elimination of section 22.901 <sup>1/</sup> of the Commission's rules.

Attached to this letter is the presentation made by the DTC. Those participating in the meetings included Peter Tenhula, Senior Legal Advisor to Chairman Powell; Bryan Tramont, Senior Legal Advisor to Commissioner Abernathy; Paul Margie, Legal Advisor to Commissioner Copps; Samuel Feder, Legal Advisor to Commissioner Martin; Nguyen Vu, Office of Commissioner Copps; John Rauber, John Deere; Geoffrey Smith, Mercedes-Benz U.S.A.; William Ball, OnStar; Roger Sherman, Sprint; John Logan, Counsel to ATX Technologies; Robert Chiappetta and Michelle Avary, Toyota Motor North America; Andre Lachance,

<sup>1/</sup> Section 22.901 requires cellular system licensees to provide services utilizing the AMPS standard upon request to subscribers in good standing.

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Verizon Wireless; Joerg Hoellermann, Volkswagen of America and Ari Fitzgerald,  
Counsel to Mercedes-Benz U.S.A.

An original and one copy of this letter are submitted for inclusion in  
the proceeding record.

Respectfully submitted,



Ari Q. Fitzgerald

Enclosure

cc (w/enc.): Mr. Peter Tenhula  
Mr. Bryan Tramont  
Mr. Paul Margie  
Mr. Samuel Feder  
Mr. Nguyen Vu

# **Year 2000 Biennial Review Elimination of AMPS Rule**

(WT Docket No. 01-108)

**An Orderly Phase-Out of the AMPS Rule  
Would Best Serve the Public Interest**

American Honda Motor Company  
ATX Technologies  
Audi of America  
Deere & Company  
General Motors Corporation  
Mercedes-Benz  
OnStar Corporation  
Rural Cellular Association  
Sprint  
Toyota Motor North America, Inc.  
Verizon Wireless  
Volkswagen of America

Digital Transition Coalition  
***Ex Parte* Presentation**  
July 25, 2002

## **Digital Transition Coalition**

- Diverse group of companies that utilize Advanced Mobile Phone Service (“AMPS”) to provide important services to the public or for operational purposes, including advanced, telematic-based fleet management and data management tools for farmers and the construction industry.
- DTC Members share common goal of ensuring a rational and orderly transition to digital technology.
- To ensure such an orderly transition, AMPS rule must remain in effect for several years.
- DTC Members agree that any transition period of less than five years from adoption of the Order would create significant problems by disrupting the nationwide ubiquitous network, jeopardizing reliable service to the public and public safety on highways, in rural areas and elsewhere.
- DTC does not seek maintenance of AMPS standard in perpetuity.

### **DTC Members**

American Honda Motor Company  
ATX Technologies  
Audi of America  
Deere & Company

General Motors Corporation  
Mercedes-Benz  
OnStar Corporation  
Rural Cellular Association

Sprint  
Toyota Motor North America, Inc.  
Verizon Wireless  
Volkswagen of America

## For Now, AMPS is the Glue that Holds Wireless Networks Together

- ◆ Congress has found that the “operation of seamless, ubiquitous, and reliable wireless telecommunications systems promote public safety and provide immediate and critical communications links among members of the public.” Wireless Communications & Public Safety Act of 1999, Pub. L. No. 106-81, § 2(a)(6).
- ◆ A significant\* base of legacy AMPS subscribers exists today. 26 million Americans – 20% of all mobile customers – were AMPS subscribers at the end of 2001 (7th CMRS Report at 25).
- ◆ AMPS remains the predominant interface for roaming, both because of its ubiquitous coverage and because of incompatible 2G interfaces:

U.S. Geographic Coverage (7<sup>th</sup> CMRS Report, App. C, Table 7)

AMPS	95%*	iDEN	35%
TDMA/GSM	53%	CDMA	50%

- ◆ Without AMPS, consumers would be unable to make emergency 911 calls in areas where their particular handset is not supported.
- ◆ The deaf and hard of hearing remain dependent on AMPS (*see* Docket No. 01-309).
- ◆ Owners of vehicles with telematics-based automatic collision notification and in-vehicle “MayDay” emergency systems rely on AMPS for location-based emergency response.

\* Although not listed on Seventh Report, DTC estimates AMPS geographic coverage to be over 95% (excluding Alaska).

## The Record Demonstrates Broad Consensus In Favor of Gradual Phase-Out of AMPS Requirement

- ◆ Overwhelming majority of parties favor transition period before the AMPS rule is eliminated:

<u>Wireless Industry</u>	<u>Public Interest</u>	<u>Telematics/Business Users</u>
CenturyTel Wireless	AG Bell Ass'n for the Deaf	AARP
CTIA	Council of Organization Representatives	American Honda Motor Co.
Independent Cellular Ass'n	League for the Hard of Hearing	ATX Technologies
Mid-Missouri Cellular	MCSAFE (and others)	Audi of America
Numerous small cellular carriers	National Ass'n of the Deaf	CaseNewHolland
Qwest Wireless	National Organization on Disability	Deere & Company
Rural Cellular Ass'n	Numerous individual consumers	EDS Corp.
Rural Telecom Group	Self Help for Hard of Hearing	General Motors Corp.
Sprint	Telecom. for the Deaf	Mercedes-Benz
U.S. Cellular	Wireless Consumers Alliance	OnStar Corporation
Verizon Wireless		Toyota Motor North America, Inc.
		Volkswagen of America

- ◆ The Bush Administration favors a "reasonable transition period," NTIA *Ex Parte* (July 12, 2002)
- ◆ Numerous Senate Commerce Committee members also urge "gradual phase out of the [AMPS] requirement rather than an immediate elimination or rapid phase out." Senate Commerce Committee Letter (May 22, 2002)
- ◆ Only three parties seek immediate elimination of the AMPS rule: AT&T Wireless, Cingular & Ericsson

## **A Transition Period is Needed**

- ◆ Many consumers will need a transition period:
  - It will take time before the public learns of and understands the sunset date; and for mobile telephony and telematics users to learn that digital location-based safety is not as ubiquitous as with AMPS networks.
  - Customers dependent upon AMPS will need time to find suitable alternatives and to adjust to the new environment.
  - Customers should not be required to discard AMPS equipment prematurely.
  - By the end of 2006, 6-7 million vehicles, with an average life span of 8 years, will have embedded AMPS equipment.
- ◆ Hard-of-hearing groups favor a transition:
  - Carriers are implementing digital TTY solutions, however, hearing aid/digital handset compatibility issues remain. (See Docket No. 01-309).
- ◆ Telematics providers and some corporate users seek a transition that recognizes that it will be necessary to install AMPS location-based emergency notification and response systems in new vehicles through at least 2005-2006.
  - While under development, digital alternatives are currently unavailable. Once available and validated, they will need to be phased in.
  - In addition, owners of vehicles with embedded analog telematics systems should be allowed a reasonable period to benefit from the telematics service offered by the systems in which they have invested.

### **A Transition Period is Needed (cont'd)**

- ◆ CMRS roaming is currently dependent upon AMPS. Given the importance of roaming as a “safety-net” for mobile users, the AMPS rule should sunset after a reasonable transition
  - Transition period ensures that customers relying on analog cellular service will continue to have access to ubiquitous service as CMRS providers transition to an all-digital environment.
  - Transition period balances customer needs and carrier plans to move to more efficient and robust technologies.

**FCC should establish a date which will allow for an orderly AMPS migration and customer education efforts**